

COMBINED DECLARATION AND POWER OF ATTORNEY IN PATENT APPLICATION

Attorney Docket No: **BIOL0082**

As a below-named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which patent is sought on the invention entitled: **AUTO FOCUS FOR A FLOW IMAGING SYSTEM**, the specification of which was filed on April 9, 2004 as application Serial No. 10/822,170.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Foreign Serial Number(s) | Country | Date Filed | Priority/Not Claimed | Certified Copy Attached? | | Status |
|--------------------------|---------|------------|----------------------|--------------------------|----|--------|
| | | | | YES | NO | |
| n/a | | | | | | |

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

| Provisional Application Serial Number(s) | Filing Date(s) |
|--|----------------|
| 60/462,574 | 04/11/2003 |
| 60/228,076 | 08/25/2000 |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States of America, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

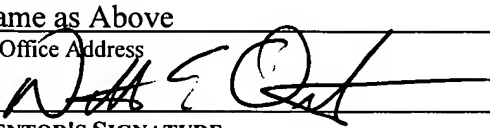
| U.S. Parent Application Number(s) | PCT Parent Number(s) | Parent Filing Date(s) | Parent Patent Number(s) (if applicable) |
|-----------------------------------|----------------------|-----------------------|---|
| 10/348,193 | n/a | 01/16/2003 | |
| 09/939,292 | | 08/24/2001 | |

I hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Ronald M. Anderson, Registration No. 28,829 and Michael C. King, Registration No. 44,832. Address all telephone calls to Michael C. King at telephone No. (425) 688-8816.


Address all correspondence to:

Michael C. King
Law Offices of Ronald M. Anderson
600 - 108th Avenue N.E., Suite 507
Bellevue, WA 98004


I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

William E. Ortn US
Inventor's Full Name Country of Citizenship
11546 Matsu Place, Bainbridge Island, Washington 98110
Residence Address
Same as Above
Post Office Address
 5/14/04
INVENTOR'S SIGNATURE DATE



Michael J. Seo US
Inventor's Full Name Country of Citizenship
8120 S.E. 77th Place, Mercer Island, Washington 98040
Residence Address
Same as Above
Post Office Address
 May 6, 2004
INVENTOR'S SIGNATURE DATE



David A. Basiji US
Inventor's Full Name Country of Citizenship
6538 Greenwood Avenue North, Seattle, Washington 98103
Residence Address
Same as Above
Post Office Address
 May 10, 2004
INVENTOR'S SIGNATURE DATE



Keith L. Frost US
Inventor's Full Name Country of Citizenship
~~1912 8th Avenue West Seattle, Washington 98119~~ 4801-B South Roxbury St., Seattle, WA 98118
Residence Address
Same as Above
Post Office Address
Keith L. Frost 2004-5-6
INVENTOR'S SIGNATURE DATE

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**David J. Perry** US  
Inventor's Full Name Country of Citizenship  
24017 107th Drive SE, Woodinville, Washington 98072  
Residence Address  
Same as Above  
Post Office Address  
*DJP* May 10, 2004  
INVENTOR'S SIGNATURE DATE

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